

128th MAINE LEGISLATURE

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Legislative Document

No. 1453

H.P. 1003

House of Representatives, April 18, 2017

An Act To Regulate Hydraulic Fracturing To Prevent Threats to Maine's Drinking Water

(EMERGENCY)

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative MARTIN of Eagle Lake. Cosponsored by Senator SAVIELLO of Franklin and

Representatives: DUCHESNE of Hudson, Speaker GIDEON of Freeport, TUCKER of

Brunswick, Senators: GRATWICK of Penobscot, JACKSON of Aroostook.

1 2	Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
3 4	Whereas, Maine's drinking water is an important resource for the citizens of the State; and
5 6	Whereas, hydraulic fracturing has the potential to affect drinking water resources; and
7 8	Whereas, it is necessary to enact regulations immediately that preserve Maine's drinking water resources; and
9 10 11 12	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,
13	Be it enacted by the People of the State of Maine as follows:
14	Sec. 1. 38 MRSA c. 3, sub-c. 1, art. 10 is enacted to read:
15	ARTICLE 10
1.6	
16	HYDRAULIC FRACTURING
16 17	<u>HYDRAULIC FRACTURING</u> §490-WW. Administration; rules
17 18 19 20 21	The department shall adopt rules regulating hydraulic fracturing in order to prevent threats to drinking water resources from hydraulic fracturing. Rules adopted or amended pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. A person may not engage in hydraulic fracturing in violation of rules
17 18 19 20 21 22 23 24	The department shall adopt rules regulating hydraulic fracturing in order to prevent threats to drinking water resources from hydraulic fracturing. Rules adopted or amended pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. A person may not engage in hydraulic fracturing in violation of rules adopted under this section. For the purposes of this section, "hydraulic fracturing" means a stimulation technique used to increase production of oil and gas involving the injection of fluids under pressures

1 SUMMARY

2	This bill requires the Department of Environmental Protection to provisionally adopt
3	major substantive rules by December 31, 2017 regulating hydraulic fracturing in order to
4	prevent threats to drinking water resources from hydraulic fracturing.